## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:05-CV-56

YESTERDAY'S TREE, INC.,	)	
Plaintiff	)	
Vs.	)	ORDER
NATIONAL GRANGE MUTUAL INSURANCE COMPANY,	) ) )	
Defendant.	)	
	)	

THIS CAUSE coming on to be heard and being heard before the undersigned on August 24, 2006 at which time the undersigned held a hearing with counsel for the parties regarding a Pretrial Order and Case Management Plan. During the hearing regarding the Pretrial Order and Case Management Plan, the plaintiff and the defendant agreed and consented that the plaintiff would be allowed to amend its complaint to allege issues regarding whether or not an appraisal award that was entered in this matter should be set aside and it appearing from statements of counsel for the plaintiff and the defendant, that they had agreed that the plaintiff could amend the complaint to allege the basis upon which the appraisal award should be set aside.

## **ORDER**

IT IS, THEREFORE, ORDERED that the plaintiff is allowed up to and including September 5, 2006 to amend its complaint and that the defendant shall be allowed up to and including September 18, 2006 to file answer to the amended complaint.

Signed: September 1, 2006

Dennis L. Howell United States Magistrate Judge